IN THE HIGH COURT OF JUDICATURE OF BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.1901 OF 2007

IN

WRIT PETITION NO.7101 of 2006

Vinaysingh Dhansing Dhavan & Ors. .. Applicants

versus

State of Maharashtra & Ors. .. Respondents

...

Mr.P.S. Dani for the applicant.

Mr.A.A. Kumbhakoni Associate Advocate General with A.H. Palekar, AGP for respondent nos.1, 2 and 4.

Mr.J. Shekhar i/b M/s.J.Shekhar & Co. for respondent nos.5 to 9, 11 to 32.

Mr.Sandeep Phatak i/b Mr.S.B. Deshmukh for respondent no.3.

CORAM : S.B. MHASE AND
D.G.KARNIK, JJ

DATED : 17th August 2007.

P.C.:

. Heard Mr. Dani learned counsel for the applicant.

2. By an order dated 3rd May 2007, we have directed the Commissioner of Sugar to fix the borrowing capacity of the said factory by following the procedure as provided under the Co-operative Societies rules. Now, the borrowing capacity has been fixed by the Commissioner of Sugar. However, there is a grievance of the applicant in respect of the said borrowing capacity. If the petitioner is aggrieved by the dcision of the Commissioner of Sugar in fixing the borrowing capacity under the law, there is alternate efficacious remedy available.

3. Therefore, we refrain to entertain the civil application. Civil Application is rejected.

(D.G. KARNIK, J) (S.B. MHASE, J)